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PATENT APPLICATION
Serial No. 10/009,226
Atty. Docket No. 2364-011622

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No. 5569 :
Group Art Unit 3736 :
In re application of : **METHOD FOR DIAGNOSING**
Dieter NAUMANN et al. : **TSE-INDUCED CHANGES IN**
: **TISSUES USING INFRARED**
Serial No. 10/009,226 : **SPECTROSCOPY**
Filed March 6, 2002 :

Pittsburgh, Pennsylvania
July 15, 2002

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to the requirements of 37 C.F.R. §§ 1.56, 1.97, and 1.98, Applicants
hereby submit this Information Disclosure Statement, which includes a completed Form PTO-
1449.

- - This application is in the national phase of International Application
No. PCT/DE00/01404, filed May 3, 2000, which corresponds with German Patent Application
No. 199 23 811.1, filed May 20, 1999.

The references identified on Form PTO-1449 were cited in the text of the
specification of the above-identified application or in the International Search Report for the

I hereby certify that this correspondence is being deposited
with the United States Postal Service as first class mail in an
envelope addressed to Commissioner for Patents, Washington,
D.C. 20231 on July 15, 2002.

Jennifer S. Austen
(Name of Person Mailing Correspondence)

Jennifer S. Austen
Signature

07/15/2002
Date

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international application. Copies of the International Search Report and references cited therein are not enclosed because the Notification of Acceptance of Application under 35 U.S.C. § 371 and 37 C.F.R. §§ 1.494 or 1.495, dated March 28, 2002, indicated that the International Search Report and references cited therein were received by the United States Patent and Trademark Office. The degree of relevance for each reference is as indicated in the International Search Report. Copies of the references cited in the specification are enclosed.

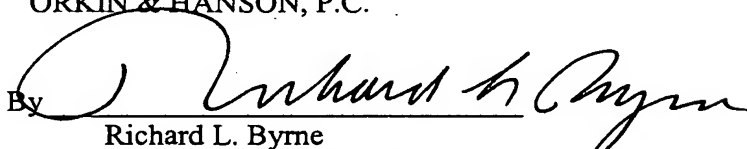
In the Reasoned Statement under Act 35(2) in the International Preliminary Examination Report, claims 1-10 have been considered to be novel, have an inventive step, and have industrial applicability. A courtesy copy of the International Preliminary Examination Report is also enclosed.

Pursuant to 37 C.F.R. § 1.97(b)(3), no fee is believed to be due for the submission of this Information Disclosure Statement as it is being submitted before the mailing date of a first Office Action on the merits. However, the Commissioner for Patents is hereby authorized to charge any fees which may be required to Deposit Account No. 23-0650. One (1) original and two (2) copies of this Information Disclosure Statement are enclosed.

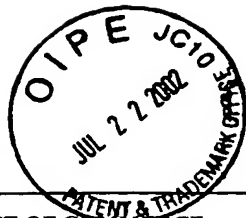
Respectfully submitted,

WEBB ZIESENHEIM LOGSDON
ORKIN & HANSON, P.C.

By



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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEINFORMATION DISCLOSURE STATEMENT
STATEMENT BY APPLICANT

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ATTY. DOCKET NO.
2364-011622SERIAL NO.
10/009,226APPLICANT(S)
Dieter NAUMANN et al.FILING DATE
March 6, 2002GROUP ART UNIT
3736

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5	7	3	4	5	8	7	03/31/1998	Backhaus et al.	364	498	
	AB	5	1	6	8	1	6	2	12/01/1992	Oong et al.	250	339	
	AC	5	0	3	8	0	3	9	08/06/1991	Wong et al.	250	339	
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FOREIGN PATENT DOCUMENTS

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	AL	19	8	4	1	2	1	7	04/29/1999	Germany				X
	AM													
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	AO													
	AP													

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	AQ	Caughey et al., "Secondary Structure Analysis of the Scrapie-Associated Protein PrP 27-30 in Water by Infrared Spectroscopy," <u>Biochemistry</u> , Vol. 30, No. 31, pp. 7672-7680, May 1991.
	AR	Goodacre et al., "Rapid Identification of <i>Streptococcus</i> and <i>Enterococcus</i> Species Using Diffuse Reflectance-Absorbance Fourier Transform Infrared Spectroscopy and Artificial Neural Networks," <u>FEMS Microbiology Letters</u> , Vol. 140, pp. 233-239, 1996.
	AS	Kneipp et al., "Detection of Pathological Molecular Alterations in Scrapie-Infected Hamster Brain by Fourier Transform Infrared (FT-IR) Spectroscopy," <u>Biochimica et Biophysica Acta</u> , Vol. 1501, pp. 189-199, 2000.

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	AP							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	AQ	Naumann, "Infrared and NIR Raman Spectroscopy in Medical Microbiology," <u>SPIE</u> , Vol. 3257, pp. 245-255. <i>P</i>
	AR	Diem et al., "Infrared Spectroscopy of Cells and Tissues: Shining Light onto a Novel Subject," <u>Applied Spectroscopy</u> , Vol. 53, No. 4, pp. 148A-161A, 1999.
	AS	Helm et al., "Elaboration of a Procedure for Identification of Bacteria Using Fourier-Transform IR Spectral Libraries: A Stepwise Correlation Approach," <u>J. of Micro. Methods</u> , Vol. 14, pp. 127-142, 1991.

EXAMINER

DATE CONSIDERED

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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AQ	Helm et al., "Classification and Identification of Bacteria by Fourier-Transform Infrared Spectroscopy," <u>Journal of General Microbiology</u> , Vol. 137, pp. 69-79, 1991.
AR	Schmerr et al., "A Diagnostic Test for Scrapie-Infected Sheep Using a Capillary Electrophoresis Immunoassay With Fluorescent-Labeled Peptides," <u>Electrophoresis</u> , Vol. 19, pp. 409-414, 1998.
AS	Zerr et al., "Protein 14-3-3," <u>The New England Journal of Medicine</u> , p. 874, 1997.

EXAMINER	DATE CONSIDERED
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	AO							
	AP							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	AQ	Zerr et al., "Detection of 14-3-3 Protein in the Cerebrospinal Fluid Supports the Diagnosis of Creutzfeldt-Jakob Disease," <u>American Neurological Association</u> , Vol. 43, No. 1, pp. 32-40, 1998.
	AR	Otto et al., "S-100 Protein Concentration in the Cerebrospinal Fluid of Patients with Creutzfeldt-Jakob Disease," <u>J. Neurol.</u> , Vol. 244, pp. 566-570, 1997.
	AS	Otto et al., "Diagnosis of Creutzfeldt-Jakob Disease by Measurement of S100 Protein in Serum: Prospective Case-Control Study," <u>Brit. Med. Journal</u> , Vol. 316, pp. 577-582, 1998.

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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AQ	Zerr et al., "Cerebrospinal Fluid Concentration of Neuron-Specific Enolase in Diagnosis of Creutzfeldt-Jakob Disease," <u>The Lancet</u> , Vol. 345, pp. 1609-1610, 1995.
AR	Otto et al., "Elevated Levels of Serum S100 Beta Protein in Scrapie Hamsters," <u>Journal of NeuroVirology</u> , Vol. 4, pp. 572-573, 1998.
AS	Safar et al., "Eight Prion Strains Have PrP ^{Sc} Molecules with Different Conformations," <u>Nature Medicine</u> , Vol. 4, No. 10, pp. 1157-1165, 1998.

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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	AQ	Lasch et al., "FT-IR Microspectroscopic Imaging of Human Carcinoma Thin Sections Based on Pattern Recognition Techniques," <u>Cellular and Molecular Biology</u> , Vol. 44, No. 1, pp. 189-202, 1998.
	AR	Lasch et al., "Imaging of Human Colon Carcinoma Thin Sections by FT-IR Microspectrometry," <u>SPIE</u> , Vol. 3257, pp. 187-198, 1998.
	AS	Choo et al., "In Situ Characterization of β -Amyloid in Alzheimer's Diseased Tissue by Synchrotron Fourier Transform Infrared Microspectroscopy," <u>Biophysical Journal</u> , Vol. 71, pp. 1672-1679, 1996.

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